

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <div style="text-align: center; font-size: 2em; font-weight: bold;">FEE TRANSMITTAL</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">for FY 2006</div> <div style="text-align: center; font-weight: bold;">FEB 07 2006</div>		Complete If Known	
		Application Number	09/940,986
		Filing Date	August 29, 2001
		First Named Inventor	RESSEMAN
		Examiner Name	STIGELL, Theodore J.
		Art Unit	3763
		Attorney Docket No.	891,144-010 (formerly 8386.0003-.01)
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT		(\$180.00)	

**METHOD OF PAYMENT** (check all that apply)

☐ Check  
 ☐ Credit Card  
 ☐ Money Order  
 ☐ None  
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account  
 Deposit Account Number: 50-2862  
 Deposit Account Name: O'MELVENY & MYERS LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below  
 ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  
 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity Fee (\$)	Fee Paid (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20

Indep. Claims - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

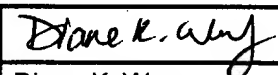
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

**4. OTHER FEE(S)**

Description	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): <u>Information Disclosure Statement</u>	180

**SUBMITTED BY**

Signature		Registration No. 54,550 (Attorney/Agent)	Telephone (949) 823-9600
Name (Print/Type)	Diane K. Wong		Date February 3 2006



Patent  
Attorney Docket No. 891,144-010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**RESEEMANN et al.**

Serial No. 09/940,986

Filed: August 29, 2001

For: EMBOLI PROTENTIONS DEVICES  
AND RELATED METHODS OF USE

Group Art Unit: 3763

Examiner: Theodore J. Stigell

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-SB/08a and PTO-SB/08b.

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-SB/08a and PTO-SB/08b. In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in one or more of the related U.S. Applications and Patents: U.S. Application No. 09/845,162, filed on May 1, 2001, U.S. Application No. 11/034,824, filed January 14, 2005, and U.S. Application No. 10/214,712, filed on August 9, 2002.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent,

---

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

February 3 2006  
Date of Deposit  
NB1:675525.1

*Cynthia B. Pacheco*  
Cynthia B. Pacheco

02/08/2006 YPOLITE1 00000016 502862 09940986

01 FC:1806 180.00 DA

publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**Statement Under 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \$180.00 is enclosed for the above fee(s).  
☒ Please charge \$180.00 to Deposit Account No. **50-2862** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to O'Melveny and Myers' Deposit Account No. **50-2862**

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: February 3, 2006

By: Diane K. Wong  
Diane K. Wong  
Reg. No. 54,550  
Attorney for Applicant

O'MELVENY & MYERS LLP  
610 Newport Center Drive, 17<sup>th</sup> Floor  
Newport Beach, CA 92660-6429  
(949) 760-9600

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A-PTO

FEB 07 2006

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

3

**Complete if Known**

Application No.	09/940,986
Filing Date	August 29, 2001
First Named Inventor	RESSEMAN
Art Unit	3763
Examiner Name	STIGELL, Theodore J.
Attorney Docket No.	891,144-010

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	us-20010012951	08/2001	Bates	
	2.	us-20010037085	11/2001	Euteneuer	
	3.	us-20020022859	02/2002	Hogendijk	
	4.	us-20020177800	11/2002	Bagaoisan	
	5.	us-20030023200	01/2003	Barbut	
	6.	us-20030023227	01/2003	Zadno-Azizi	
	7.	us-20030083617	05/2003	St. Germain	
	8.	us-20030097036	05/2003	St. Germain	
	9.	us-20030150821	08/2003	Bates	
	10.	us-20030158518	08/2003	Schonholz	
	11.	us-20030171769	09/2003	Barbut	
	12.	us-20030171770	09/2003	Kusleika	
	13.	us-20030171771	09/2003	Anderson	
	14.	us-20030187390	10/2003	Bates	
	15.	us-20030187391	10/2003	Hogendijk	
	16.	us-20030187392	10/2003	Hogendijk	
	17.	us-20030208222	11/2003	Zadno-Azizi	
	18.	us-20030233117	12/2003	Adams	
	19.	us-20040010280	01/2004	Adams	
	20.	us-20040010282	01/2004	Kusleika	
	21.	us-20040015150	01/2004	Zadno-Azizi	
	22.	us-20040034366	02/2004	van der Burg	
	23.	us-20040054347	03/2004	Zadno-Azizi	
	24.	us-20040064092	04/2004	Tsugita	
	25.	us-20040069549	04/2004	MacMahon	
	26.	us-20040092869	05/2004	Venturelli	
	27.	us-20040127885	07/2004	Barbut	

Examiner  
Signature

NB1:675517.1

Date  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A-PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	3	Attorney Docket No.	891,144-010
-------	---	----	---	---------------------	-------------

## Complete if Known

Application No.	09/940,986
Filing Date	August 29, 2001
First Named Inventor	RESSEMAN
Art Unit	3763
Examiner Name	STIGELL, Theodore J.
Attorney Docket No.	891,144-010

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	28.	us-5,108,414	04/1992	Enderle	
	29.	us-5,453,099	09/1995	Lee	
	30.	us-6,126,635	10/2000	Simpson	
	31.	us-6,533,800	03/2003	Barbut	
	32.	us-6,544,276	04/2003	Azizi	
	33.	us-6,569,148	05/2003	Bagaoisan	
	34.	us-6,582,396	06/2003	Parodi	
	35.	us-6,589,264	07/2003	Barbut	
	36.	us-6,592,546	07/2003	Barbut	
	37.	us-6,592,557	07/2003	Barbut	
	38.	us-6,595,980	07/2003	Barbut	
	39.	us-6,605,074	08/2003	Zadno-Aziziz	
	40.	us-6,605,102	08/2003	Mazzocchi	
	41.	us-6,623,471	09/2003	Barbut	
	42.	us-6,626,886	09/2003	Barbut	
	43.	us-6,632,236	10/2003	Hogendijk	
	44.	us-6,635,029	10/2003	Venturelli	
	45.	us-6,635,046	10/2003	Barbut	
	46.	us-6,645,222	11/2003	Parodi	
	47.	us-6,652,480	11/2003	Imran	
	48.	us-6,652,546	11/2003	Nash	
	49.	us-6,682,505	01/2004	Bates	
	50.	us-6,682,543	01/2004	Barbut	
	51.	us-6,712,806	03/2004	St. Germain	
	52.	us-6,733,474	05/2004	Kusleika	
	53.	us-6,743,196	06/2004	Barbut	
	54.	us-6,786,888	09/2004	Zadno-Azizi	

Examiner  
Signature

NBI:675517.1

Date  
Considered


\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB-08a (08 03)

American LegalNet Inc.  
[www.USCourtForms.com](http://www.USCourtForms.com)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A-PTO  <div style="text-align: center;">  </div> <h1 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p style="text-align: center;">(Use as many sheets as necessary)</p>				<div style="text-align: right;"><b>Complete if Known</b></div> <table border="1" style="width: 100%;"> <tr> <td>Application No.</td> <td>09/940,986</td> </tr> <tr> <td>Filing Date</td> <td>August 29, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>RESSEMANN</td> </tr> <tr> <td>Art Unit</td> <td>3763</td> </tr> <tr> <td>Examiner Name</td> <td>STIGELL, Theodore J.</td> </tr> <tr> <td>Attorney Docket No.</td> <td>891,144-010</td> </tr> </table>		Application No.	09/940,986	Filing Date	August 29, 2001	First Named Inventor	RESSEMANN	Art Unit	3763	Examiner Name	STIGELL, Theodore J.	Attorney Docket No.	891,144-010
Application No.	09/940,986																
Filing Date	August 29, 2001																
First Named Inventor	RESSEMANN																
Art Unit	3763																
Examiner Name	STIGELL, Theodore J.																
Attorney Docket No.	891,144-010																
Sheet	3	of	3														

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	55.	us-6,790,204	09/2004	Zadno-Azizi	
	56.	us-6,805,692	10/2004	Muni	

## FOREIGN PATENTS

[illegible]

Examiner Signature	Date Considered
NB1:675517.1	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emporor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**